GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Endowments Department – Certain irregularities noticed in the administration of Sri Durga Malleswara Swami Varla Devasthanam, Vijayawada – Disciplinary action against Sri N.Vijaya Kumar, former Executive Officer – Inquiry – Charge not proved – Disagreement factor communicated – Representation – Considered – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.RT.No. 974 Dated: 15-09-2017

Read the following :-

1. From the GA (V&E) Dept., Vigilance Report No.52 (C.No.460/V&E/ D3/2010, dated 04-08-2011.
2. G.O.Rt.No.60, Revenue (Vigilance-IV) Dept., dated 10-01-2012.
3. Explanation dt.04-02-2012 of Sri N.Vijay Kumar, former EO.
4. G.O.Rt.No.1554, Revenue (Vigilance-IV) Dept., dated 01-11-2012.
5. From COI, Lr.No.365/COI-LP/2012, dated 07-03-2013 (IR)
6. Govt.Memo No.41646/Vig.IV(1)/2011-2, dated 12-09-2012.
7. From CED, VJY, Lr.No.V1/2513/2012, dated 06-01-2015.
8. Govt.Memo No.41646/Vig.IV(1)/2011, dated 16-10-2015.
9. Explanation dated 03-09-2016 of Sri N.Vijaya Kumar, former EO received from CED, Lr.No.V1/2513/2012, dated 19-11-2016.

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O R D E R :

Whereas the Director General, General Administration (Vigilance & Enforcement) Department has submitted a Vigilance Report stating that certain irregularities have taken place in the preparation and sale of Laddu Prasadams and Printing of Kanaka Durga Prabha Magazine in Sri Durga Malleswara Swamy Varla Devasthanam, Vijayawada and recommended to initiate departmental action against the concerned officials, vide reference 1st read above. Sri N.Vijaya Kumar, former Executive Officer of Devasthanam is one of the officers against whom allegations are levelled.

2. After examining the Vigilance Report, Government have initiated disciplinary action against Sri N.Vijaya Kumar and framed the following charge, vide reference 2nd read above :

Charge: the Charged Officer has failed to supervise the process of sale of tickets of prasadam and failed to verify the relevant records to find out the further lapses on the day of his inspection, i.e., on 18-12-2009 and filing police complaint after a delay of 10 days.

3. And whereas Sri N.Vijaya Kumar has submitted his Written Statement of Defence denying the charge vide reference 3rd read above. As the Written Statement of Defence submitted by the Charged Officer is not convincing, the Government have ordered for regular inquiry into the matter and accordingly placed the charged officer on his defence before the Commissioner of Inquiries, vide 4th read above.

4. And Whereas the Commissioner of Inquiries has submitted the Inquiry Report vide reference 5th read above observing that Sri N.Vijaya Kumar has taken instantaneous and immediate action and the Andhra Bank Staff who are found instrumental in the irregularities were relieved with immediate effect and the Complaint letters to police were signed by the Charged Officer on the same day. The Charged Officer being Executive Officer in the cadre of Joint

(P.T.O)

Commissioner will not go and hand over the letter personally to the Station House Officer. It will be taken by some Subordinate staff to the Police Station. There might have been some delay either in handing over the letter to the station house officer or delay in registering the FIR. To cover up this delay the date might have been corrected form "18 to 28". The Office file clearly shows that the letter is put up and approved on 18-12-2009 it is good enough evidence to show that the letter to the Station House Officer was signed by the Charged Officer on 18-12-2009, i.e., on the date of noticing the irregularity. Hence the charge held not proved.

5. Whereas the Government after examining the Inquiry Report observed that the Inquiry Authority has accepted the Charged Officer contention that he filed a complaint before Station House Officer on 18-12-2009. It is further revealed that it is stated that it was corrected as 28-12-2009 in the Police Station. However, neither the Station House Officer nor any other officer of the Police Station was examined. Even copy of FIR is not available. Hence disagreed with the findings of the Inquiry Authority. The Government after obtaining further information in the matter have communicated the following disagreement factor to the Charged Officer, vide reference 8th read above.

> "Undeniably the FIR was registered on 28-12-2009. The Charged Officer has certainly not acted promptly. If we even give a benefit of doubt to him on this count, it is clear that he merely sat quite without pursuing with police regarding the fate of his complaint. The Executive Officer, Durga Temple is an important functionary in Vijayawada city and no Station House Officer will take his compliant lightly and delay by 10 days. Even if the Station House Officer has delayed it certainly the Executive Officer was guilty of not taking any follow up action."

6. Sri N.Vijaya Kumar, vide reference 9th read above, has submitted his representation stating that the complaint was given on the same day, i.e., 18-12-2009 and the same has been proved by the prosecution witness itself and the alteration of the date as 28-12-2009 has not been proved. There is no negligence on his part and requested to drop further action against him.

7. And whereas Government have examined the representation of the Charged Officer with the Inquiry Report and observed that the letters addressed to the Station House Officer and to the Bank Manager, Andhra Bank were signed by the Charged Officer on 18-12-2009 itself, i.e., on the date of noticing the irregularity. Further the fair copy of the letter addressed to the Bank, has been signed by the Assistant Commissioner and Assistant Executive Officer on the same date, i.e., on 18-12-2009. But the fair copy of the letter addressed to the Station House Officer has been directly signed by the Charged Officer himself on 18-12-2009. But in the copy of the said letter submitted to the Station House Officer, Vijayawada, the date has been corrected as 28-12-2009.

8. Government, after careful examination of the matter have considered the representation submitted by the Charged Officer and decided to drop further action against Sri N.Vijaya Kumar. Accordingly, Government hereby drop further action against Sri N.Vijaya Kumar, former Executive Officer, Sri Durga Malleswara Swami Varla Devasthanam, Vijayawada.

6. The Commissioner of Endowments, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N.Vijaya Kumar, former Executive Officer, Sri Durga Malleswara Swami Varla Devasthanam, Vijayawada

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through: The Commissioner of Endowments, Andhra Pradesh, Gollapudi, Vijayawada.

The Commissioner of Endowments, Andhra Pradesh, Gollapudi, Vijayawada.

Copy to :

The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Secretariat Bulidings, Velagapudi.

The Director General, G.A (V&E) Dept.,A.P.Secretariat, Velagapudi.

SF / SC

//FORWARDED :: BY ORDER//

SECTION OFFICER